APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,807	01/10/2001	Nobuhiro Komata	SCEI 17.998	7356

26304 7590 10/03/2003	EXAMINER
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ART UNIT	PAPER NUMBER
2697	9

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2600

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/757,807	KOMATA, NOBUHIRO
Office Action Summary	Examiner	Art Unit	
	Adam Arnold	2697	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,7-10,12 and 13* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,7-10,12 and 13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

The examiner acknowledges the receipt and entry of the applicant's amendment.

Claim Objections

1.   Claims 1-2, 4-5, 7-10 and 12-13 are objected to because of the following informalities: It

is unclear that this application teaches where "each word of said plurality being sequentially

displayed" (from amended Claim 1). There is no mention of each *word* displayed in the

specification, only a sequential display of *messages* and *phrases* (e.g. page 5, lines 11-18 of the

Specification). Only in Figures 2A-2C is "word" mentioned. In Figures 2B and 2C "word"

appears to point to phrases. Although insufficient to support a 112 rejection, appropriate

correction is required.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baals, U.S.

Patent No. 5,392,337. Referring to claim 1, Baals discloses a recording medium with computer-

readable and executable software programs (col. 2, lines 35-49 and col. 3, lines 27-28) that

performs processing (col. 2, line 36) by taking as commands an output from a controller which has a variable pressure sensing means (col. 3, lines 61-63) where software programs display messages on a screen in accordance with the output of the controller (col. 1, lines 52-53), where each message comprises a pre-defined sentence having a plurality of words (Figure 3, 210), each word sequentially displayed on a screen in a pre-defined order (i.e., left to right) and where messages are displayed in accordance with the rate that corresponds to the magnitude of an output value of the controller (col. 3, lines 56-64). Baals does not disclose where the messages are displayed on a computer screen. Baals does disclose that "the command-operated terminal could be utilized in a computer..." (Baals, col. 3, lines 27-28). At the time the invention was made it would have been obvious to a person of ordinary skill in the art to display the messages on a computer screen as opposed to a telephone terminal. One of ordinary skill in the art would have been motivated to do this because peripheral devices, such as displays, are frequently interchangeable in data communications systems.

Referring to claim 2, Baals discloses where words are displayed on a screen in pre-defined order in accordance with the rate of change per unit time of a variable output value of the controller (col. 3, lines 48-53).

3.   Claims 4-5, 7-10 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baals, in view of Armstrong, U.S. Patent No. 5,999,084. Referring to claim 4, Baals further discloses detecting an operation pressure of a user on a controller (col. 3, line 61), displaying messages on the screen based on the selection and displaying the messages all at once (col. 1, lines 52-53).